REMARKS

This Amendment being is filed in response to the Office Action dated September 26, 2006. For the following reasons, this application should be allowed and the application passed to issue. No new matter is introduced by this amendment. Support for the amendment to claims 10, 16, and 17 is found throughout the specification and claims as originally filed.

Claims 10 and 12-17 are pending in this application. Claims 10-17 have been rejected. Claims 10, 16, and 17 have been amended. Claims 1-9 were previously canceled. Claim 11 has been canceled in this response.

Interview Summary

Applicants gratefully acknowledge the courtesy of Examiners Pierre and Chawan in granting a personal interview with the undersigned on September 6, 2006. During the interview the undersigned explained that Mikio does not disclose the claimed invention because Mikio does not disclose that claimed operation setting section. The Examiner maintained that Mikio teaches retrieving and accessing information by a plurality of persons stored in a profile storage section. In addition, the Examiner asserted that the claims allow the use of other information besides speech.

Claim Rejections Under 35 U.S.C. § 103

Claims 10-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mikio (JP 11-351901) in view of Everhart (U.S. Pat. No. 6,230,138). This rejection is traversed, and reconsideration and withdrawal thereof respectfully requested. The following is a comparison between the present invention as claimed and the cited prior art.

An aspect of the present invention, per claim 10, is a speech recognition updatable system applied to a vehicle comprising a speech collecting device collecting a set of words spoken by a driver. A storing section stores preliminarily a set of recognition words used for speech

recognition and a set of operation patterns, associated with the recognition words, of a vehicle device. A searching section searches a recognition word, which has the highest matching degree with a spoken word collected by the speech collecting device, from the set of recognition words. A mode setting section sets a registration mode for registering a spoken word collected by the speech collecting device as a new recognition word. A communication unit communicates with a base station. An input device inputs various information for communicating with the base station via the communication unit. An operation setting section sets a new operation pattern for a new recognition word collected by the speech collecting device under the registration mode, based on information obtained in communication with the base station. A registering section registers the new recognition word and the new operation pattern set by the operation setting section. A control section controls the vehicle device, based on an operation pattern associated with a recognition word searched by the searching section. The operation setting section serves to replace a recognition word stored preliminarily in the storing section with a new recognition word collected by the speech collecting device under the registration mode so as to register newly an operation pattern associated with the new recognition word, and the newly registered operation pattern is one of an operation pattern stored preliminarily in the storing section and an operation pattern set newly by the driver.

Another aspect of the invention, per claim 16, is a speech recognition updatable system applied to a vehicle comprising means for collecting a set of words spoken by a driver; means for storing preliminarily a set of recognition words used for speech recognition and a set of operation patterns, associated with the recognition words, of a vehicle device; and means for searching a recognition word, which has the highest matching degree with a spoken word collected by the collecting means, from the set of recognition words. The system further

comprises means for setting a registration mode for registering a spoken word collected by the collecting means as a new recognition word; means for communicating with a base station; and means for inputting various information for communicating with the base station via the communicating means. In addition, the system comprises means for setting a new operation pattern for a new recognition word collected by the collecting means under the registration mode, based on information obtained in communication with the base station; means for registering the new recognition word and the new operation pattern set by the operation setting means; and means for controlling the vehicle device, based on an operation pattern associated with a recognition word searched by the searching means. The operation setting means serves to replace a recognition word stored preliminarily in the storing means with a new recognition word collected by the collecting means under the registration mode so as to register newly an operation pattern associated with the new recognition word. The newly registered operation pattern is one of an operation pattern stored preliminarily in the storing section and an operation pattern set newly by the driver.

Another aspect of the invention, per claim 17, is a method for operating a speech recognition updatable system applied to a vehicle comprising collecting a set of words spoken by a driver. A set of recognition words used for speech recognition and a set of operation patterns, associated with the recognition words, of a vehicle device are stored preliminarily. A recognition word, which has the highest matching degree with a spoken word collected in the collecting step, is searched from the set of recognition words. A registration mode is set for registering a spoken word collected in the collecting step as a new recognition word. A base station is communicated with. Various information for communicating with the base station is inputted. A new operation pattern is set for a new recognition word collected in the collecting

step under the registration mode, based on information obtained in the communicating step. The new recognition word and the new operation pattern set in the setting step is registered. The vehicle device is controlled, based on an operation pattern associated with a recognition word searched in the searching step. The operation setting a recognition word stored preliminarily in the storing means is replaced with a new recognition word collected in the collecting step under the registration mode so as to register newly an operation pattern associated with the new recognition word. The newly registered operation pattern is one of an operation pattern stored preliminarily in the storing section and an operation pattern set newly by the driver.

The Examiner asserted that Mikio teaches a speech recognition updateable applied to a vehicle comprising a speech collecting device collecting a set of words spoken by a driver, a storing section, a searching section, a mode setting section, a communication unit, an input device, an operation setting section, a registration section, and a control section. The Examiner acknowledged that Mikio does not disclose recognition of words of a vehicle device. The Examiner asserted that Everhart teaches recognition of words of a vehicle device. The Examiner concluded that it would have been obvious to implement the control device of Mikio into the in-vehicle speech recognition device of Everhart because Everhart teaches that this would provide communication of data to the vehicle accessories to permit adjustment of all controllable function parameters associated with each accessory.

The combination of Mikio and Everhart do not, suggest the claimed speech recognition updatable system and method for operating a speech recognition updatable system. Mikio and Everhart, whether taken alone, or in combination, do not suggest a mode setting section setting a registration mode for registering a **spoken word collected by the speech collecting device as a new recognition word**, an operation setting section **setting a new operation pattern for a new**

recognition word collected by the speech collecting device under the registration mode, a registering section **registering the new recognition word and the new operation pattern** set by the operation setting section, a controlling section controlling the vehicle device, based on an operation pattern associated with a recognition word searched by the searching section, wherein the operation setting section serves to **replace a recognition word** stored preliminarily in the storing section **with a new recognition word collected by the speech collecting device** under the registration mode so as to **register newly an operation pattern** associated with the new recognition word, as required by claim 1; means for collecting a **set of words spoken by a driver**, means for setting a registration mode for **registering a spoken word collected by the collecting means** as a new recognition word, means for **setting a new operation pattern for a new recognition word** collected by the collecting means under the registration mode, means for **registering the new recognition word and the new operation pattern** set by the operation setting means, wherein the operation setting means serves to replace a recognition word stored preliminarily in the storing means with a **new recognition word** collected by the collecting means under the registration mode so as to **register newly an operation pattern associated with the new recognition word**, as required by claim 16; and collecting a set of **words spoken by a driver**, setting a registration mode for **registering a spoken word** collected in the collecting step as **a new recognition word, setting a new operation pattern for a new recognition word** collected in the collecting step under the registration mode, **registering the new recognition word and the new operation pattern** set in the setting step, wherein in the operation setting a recognition word stored preliminarily in the storing means is **replaced with a new recognition word** collected in the collecting step under the registration mode so as to

register newly an operation pattern associated with the new recognition word, as required by claim 17.

The system of the present invention can **newly register a new operation pattern** that is associated with a new recognition (spoken) word collected by the speech collecting device. This feature is neither disclosed nor suggested by Mikio and Everhart.

Mikio cannot register any new pattern of a vehicle device. Mikio can only extract an operation pattern from a database, based on several conditions including an input form a user (see para. [0020]). For example, Mikio disclose (para. [0020]) that the activity of a device M3 is decided on the basis of information inputted by the input means M1, the situation detected by the situation detection means M5, the demand presumed by the demand presumption means M13, and individual humanity news memorized by the individual humanity news storage means M15. A driver can set and register only the content of the individual humanity news (see para. [0043]) and the priority of data detection (see para. [0018]). Although the individual humanity news is partially associated with the activity of the device M3, the individual humanity news, which is the only information that can be registered by the driver, cannot directly decide the activity of the device M3. Mikio cannot register any new activity of the device M3. Combining Everhart with Mikio does not suggest the claimed systems and method, as Everhart does not cure the deficiencies of Mikio.

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge readily available to one of ordinary skill in the art. *In re Kotzab*, 217 F.3d 1365, 1370 55 USPQ2d 1313, 1317 (Fed. Cir. 2000); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941

(Fed. Cir. 1992); *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). There is no suggestion in Mikio or Everhart to modify the system and method of Mikio to provide a speech recognition updatable system comprising an operation setting section setting a new operation pattern for a new recognition word collected by the speech collecting device under the registration mode and a registering section registering the new recognition word and the new operation pattern set by the operation setting section, as required by claim 1; a means for setting a new operation pattern for a new recognition word collected by the collecting means under the registration mode and means for registering the new recognition word and the new operation pattern set by the operation setting means, as required by claim 16; and setting a new operation pattern for a new recognition word collected in the collecting step under the registration mode and registering the new recognition word and the new operation pattern set in the setting step, as required by claim 17.

The only teaching of the claimed control devices and method is found in Applicants' disclosure. However, the teaching or suggestion to make a claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The dependent claims are allowable for at least the same reasons as independent claim 10 and further distinguish the claimed speech recognition updatable system.

In light of the above Amendments and Remarks, this application should be allowed and the case passed to issue. If there are any questions regarding these remarks or the application in general, a telephone call to the undersigned would be appreciated to expedite prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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